

Antelope Valley
Air Quality Management District



Draft
Staff Report

Proposed Adoption of the
*Federal Negative Declarations for
Sixteen Control Techniques Guidelines
Source Categories*

For adoption on
July 21, 2015

43301 DIVISION ST., SUITE 206,
LANCASTER, CALIFORNIA 93535-4649
PHONE (661) 723-8070
FAX (661) 723-3450

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STAFF REPORT
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STAFF REPORT

Federal Negative Declarations for 16 CTG Source Categories

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Antelope Valley Air Quality Management District (AVAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *Federal Negative Declarations for Sixteen Source Categories* and directing staff actions. These “Federal Negative Declarations” (FNDs) are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the United States Environmental Protection Agency (USEPA) that there are no stationary sources or emitting facilities in these categories located within the area designated as non-attainment for ozone within the AVAQMD.

Adoption of the FNDs will satisfy the specific federal requirement described below. Their adoption does not satisfy any other state or federal requirements imposed upon the District. There are no emission reductions associated with this action because it does not change any existing rules or regulations.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated *RACT SIP Analysis*. The purpose of the *RACT SIP Analysis* is to ensure that District rules adequately address current RACT requirements. For those source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a FND certifying that those sources are not present. These FNDs are revisions to the State Implementation Plan (SIP), and consequently they must be adopted after public notice and hearing (42 U.S.C. §7410(1), FCAA §110(1)).

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the AVAQMD, after conducting a public hearing, adopt the *Federal Negative Declarations for 16 CTG Source Categories*. Such action is necessary to satisfy the federal requirements for submission of FNDs for each source category not represented within the District covered by a CTG or which meets the definition of a major source.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *Federal Negative Declarations for 16 CTG Source Categories*. Each item is discussed, if applicable, in Section V below. Copies of documents are included in the appropriate Appendix.

FINDINGS REQUIRED FOR RULES & REGULATIONS

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION

- X Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- N/A Appropriate findings, if necessary.
- N/A Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- X Economic Analysis
- X Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories*. Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the District considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information that must be provided, in order to adopt this document in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the AVAQMD Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity:

The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is necessary because for those source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a FND certifying that those sources are not present.

b. Authority:

AVAQMD has the authority pursuant to California Health and Safety Code (H&S Code) §40702, 40725-40728 to adopt, amend or repeal rules and regulations and to do such actions that are necessary or proper to execute the powers and duties granted to and imposed upon AVAQMD.

c. Clarity:

The adoption is clear in that it is written so that the persons can easily understand the scope and necessity of the FND.

d. Consistency:

The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions.

e. Nonduplication:

The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* does not impose the same requirements as an existing state or federal law or regulation because federal law requires the adoption and certification of “Negative Declarations” for those source categories not represented within the area designated non-attainment for ozone which are covered by a CTG or which meet the definition of a major source.

f. Reference:

AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* will be published April 17, 2015. See Appendix “B” for a copy of the public notice. See Appendix C for copies of comments, if any, and AVAQMD responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law which requires the submittal. The information below indicates which elements are required for the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is subject to all the requirements for a SIP submittal because the RACT SIP Analysis “Negative Declarations” will be included in the AVAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment:

Notice for the public hearing for the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* will be published April 17, 2015. See Appendix “B” for a copy of the public notice.

c. Availability of Document:

Copies of the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* and the accompanying draft staff report will be made available to the public on or before April 17, 2015.

d. Notice to Specified Entities

Copies of the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* and the accompanying draft staff report will be mailed to all affected agencies, including but not limited to CARB and USEPA. The proposed amendments will be sent to CARB and USEPA on or before April 17, 2015.

e. Public Hearing:

A public hearing to consider the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* has been set for May 19, 2015.

f. Legal Authority to Adopt and Implement:

The AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the AVAQMD.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the California Environmental Quality Act (CEQA).

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is required to adopt and certify FNDs for those source categories not represented within the area designated non-attainment for ozone.

C. ECONOMIC ANALYSIS

1. General

Adoption of the FNDs will identify CTG source categories not represented within the area designated non-attainment. The adoption will have no economic impact.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur.

The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is not subject to incremental cost effectiveness calculations because this rule does not impose BARCT or “all feasible measures”.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below, it was determined that a Notice of Exemption would be the appropriate CEQA process for the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories*.

1. The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* meets the CEQA definition of “project.” They are not “ministerial” actions.
2. The proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the proposed adoption of the FNDs.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix B.

VI. TECHNICAL DISCUSSION

USEPA is requiring that all non-attainment areas submit an updated RACT SIP Analysis. The purpose of the RACT SIP Analysis is to ensure that District rules adequately address current RACT requirements. Current AVAQMD review has identified many CTG source categories that do not have corresponding sources (major or minor) within the jurisdiction of the AVAQMD. For these CTG source categories the AVAQMD is filing FNDs. In some cases the FND is merely an update of an earlier FND. Table 1 gives a brief overview of the proposed FNDs and the underlying CTG evaluated for the adoption of the *Federal Negative Declarations for 16 CTG Source Categories*.

Table 1
Sixteen Proposed Federal Negative Declarations

Source Category	Control Techniques Guideline Covering Action
Federal Negative Declarations	
Fiberglass Boat Manufacturing Materials	1. Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials (EPA-453/R-08-004, 09/2008).
Metal Furniture Coating	1. Control Techniques Guidelines for Metal Furniture Coatings (EPA-453/R-07-005, 09/2007).
Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds	1. Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds (EPA-450/2-77-025).
Coils	1. Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks (EPA-450/2-77-008, 05/1977).
Insulation of Magnet Wire	1. Control of Volatile Organic Emissions from Existing Stationary Sources - Volume IV: Surface Coating of Insulation of Magnet Wire (EPA-450/2-77-033, 12/1977).
Large Appliance Coatings	1. Control of Volatile Organic Emissions from Existing Stationary Sources - Volume V: Surface Coating of Insulation of Large Appliances (EPA-450/2-77-034, 12/1977). 2. Control Techniques Guidelines for Large Appliance Coatings (EPA-453/R-07-004, 09/2007).
Bulk Gasoline Plants	1. Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035, 12/1977).
Petroleum Refinery Equipment	1. Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment (EPA-450/2-78-036, 06/1978).
Synthesized Pharmaceutical Products	1. Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products (EPA-450/2-78-029, 12/1978).
Pneumatic Rubber Tires	1. Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires (EPA-450/2-78-030, 12/1978).
Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins	1. Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins (EPA-450/3-83-008, 11/1983).
Natural Gas/Gasoline Processing Plants	1. Control of Volatile Organic Compound Leaks from Natural Gas/Gasoline Processing Plants (EPA-450/3-83-007, 12/1983).
Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment	1. Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment (EPA-450/3-83-006, 03/1984).

Synthetic Organic Chemical Manufacturing Industry	<p>1. Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry (EPA-450/3-84-015, 12/1984).</p> <p>2. Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry (EPA-450/4-91-031, 08/1993).</p>
Wood Furniture Manufacturing Coating Operations	<p>1. Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations (EPA-453/R-96-007, 04/1996).</p>
Shipbuilding and Ship Repair Surface Coating Operations	<p>1. Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating) (61 FR 44050 8/27/96, 04/1994).</p>

A. SIP HISTORY

1. SIP History.

The AVAPCD came into existence pursuant to statute on July 1, 1997 Health & Safety Code 40106, A.B. 266-Knight Ch. 542, statutes of 1996). The rules and regulations of the SCAQMD remain in effect within the AVAPCD until the AVAPCD Governing Board adopts, amends or rescinds new ones Health & Safety Code 40106(e)). Since the SIP applies to the territory for which it was approved at the time it was approved, the AVAPCD also inherited the SCAQMD SIP applicable to the Los Angeles County portion of the South East Desert Air Basin (now called the Mojave Desert Air Basin) prior to July 1, 1997. On January 1, 2002 the AVAQMD was created pursuant to statute H&S Code 41300 et seq.) to replace the AVAPCD. Once again the SIP in effect at the time of the change remained in effect until the AVAQMD Governing Board superseded, amended or rescinded it.

2. SIP Analysis.

The AVAQMD has a variety of FNDs adopted or carried over from its predecessor agencies. These are:

- a. Motor Vehicle Assembly Line Coating Operations, 40 CFR 52.222(a)(6)(i) – 65 FR 31267, 05/17/2000.
- b. Refinery Process Turnarounds, 40 CFR 52.222(a)(6)(ii) – 65 FR 31267, 05/17/2000.
- c. Marine Vessel Coating Operations, Marine Tank Vessel Operations, and Thermal Enhanced Oil Recovery Wells, 40 CFR 52.222(a)(6)(iii) – 64 FR 2141, 01/13/1999.
- d. Pharmaceuticals and Cosmetic Manufacturing Operations, 40 CFR 52.222(a)(6)(iv) – 65 FR 66175, 11/03/2000.
- e. Metal Container, Closure and Coil Coating Operations and Magnet Wire Coating Operations, 40 CFR 52.222(a)(6)(v) – 69 FR 56355, 09/21/2004.
- f. Resin Manufacturing and Surfactant Manufacturing, 40 CFR 52.222(a)(6)(vi) – 69 FR 56355, 09/21/2004.
- g. Large Appliances, Surface Coating; Wood Furniture Surface Coating; Gasoline Bulk Plants, Equipment Leaks from Natural Gas/Gasoline Processing Plants; Leaks from Petroleum Refinery Equipment; Air Oxidation Processes (SOCMI); Reactor and Distillation Processes (SOCMI); Tank Truck Gasoline Loading Terminals > 76,000 L; Manufacture of Synthesized Pharmaceutical Products; Manufacture of Pneumatic Rubber Tires; Manufacture of High Density Polyethylene, Polypropylene and Polystyrene; Equipment Used in Synthetic Organic Chemical Polymers and Resin Manufacturing; Refinery Vacuum-Producing Systems, Wastewater Separators and Process Unit

- Turnarounds; and Magnetic Wire Coating Operations, 40 CFR 52.222(a)(6)(vii) – 76 FR 38572, 07/01/2011.
- h. Ship Repair Operations; Storage of Petroleum Liquids in Fixed Roof Tanks; and Petroleum Liquid Storage in External Floating Roof Tanks, 40 CFR 52.222(a)(6)(viii) – 76 FR 38572, 07/01/2011.
 - i. Boilers and Process Heaters In Petroleum Refineries – 40 CFR 52.222(b)(4)(i) – 65 FR 31267, 05/17/2000.
 - j. Cement Kilns and Glass Melting Furnaces – 40 CFR 52.222(b)(4)(ii) – 65 FR 31267, 05/17/2000.
 - k. Nitric Acid Units – 40 CFR 52.222(b)(4)(iii) – 65 FR 66175, 11/03/2000.

The AVAQMD has determined that no sources in the 16 CTG source categories listed in Table 1 exist within its jurisdiction.

APPENDIX "A"
Federal Negative Declarations for 16 CTG Source Categories

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Mojave Desert Air Quality Management District
 14306 Park Avenue, Victorville, CA 92392-2310
 760.245.1661 • fax 760.245.2699
 Visit our web site: <http://www.mojaveaqmd.org>
 Eldon Heaston, Executive Director

**Antelope Valley Air Quality Management District
 Federal Negative Declaration (8 hr Ozone Standard) for
 Sixteen CTG Source Categories**

The Federal *Clean Air Act* (CAA) requires areas designated non-attainment for ozone and classified moderate and above to adopt, maintain rules requiring certain sources of air pollution to implement Reasonably Available Control Technology (RACT). Rules are required for all sources of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x) in source categories covered by a Control Techniques Guideline (CTG) document issued by the United States Environmental Protection Agency (USEPA) and for any other major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); CAA 182(b)(2)). If a rule is unnecessary because a source category does not exist within the affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that those sources are not present. The CAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by USEPA for "major sources" of VOCs and NO_x which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the CAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated RACT SIP Analysis. The purpose of the *RACT SIP Analysis* is to ensure that District Rules adequately address current RACT requirements.

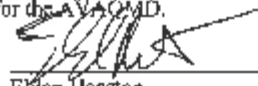
On July 1, 1997 the Antelope Valley Air Pollution Control District (AVAPCD) was formed, pursuant to statute (former Health & Safety Code §40106, Ch. 542 Stats. 1996), with a jurisdiction of the Los Angeles County portion of South Coast Air Quality Management District (SCAQMD) that was not within the South Coast Air Basin (SCAB). The SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them. On January 1, 2002 the AVAQMD was formed pursuant to statute to replace the AVAPCD (Health & Safety Code §§41300 et seq.). The rules of the AVAPCD remained in effect until the AVAQMD Governing Board superseded or amended them. Thus, the AVAQMD is required to either retain RACT rules or to submit a FND to certify that there are no such sources in the particular source category within its jurisdiction.

The AVAQMD has examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the sixteen CTG source

City of Artesia	City of Apple Valley	City of Brea	City of Blythe	City of Chaparral	City of Needles	County of Florida	County of San Bernardino	City of Twentynine Palms	City of Yucca Valley	County of Yuba
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categories referenced in attachment A, located within the jurisdiction of the AVAQMD and none are anticipated in the near future.

I certify on behalf of the AVAQMD that, to my knowledge, the AVAQMD does not have any major stationary sources in the referenced categories located within the jurisdiction of the District. Therefore the AVAQMD requests the USEPA to approve this FND for the 8 hour Ozone Standard and include it in the State Implementation Plan for the AVAQMD.



Eldon Heaston
Executive Director

6/5/15

Date

Source Category	Control Techniques Guideline Covering Action
Federal Negative Declarations	
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APPENDIX "B"
PUBLIC NOTICE DOCUMENTS

(to be included when available)

1. Proof of Publication for Notice of Public Hearing - Antelope Valley Press, April 17, 2015

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AFFIDAVIT OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

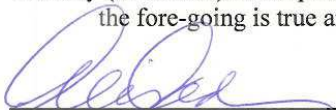
County of Los Angeles

NOTICE OF HEARING AVAQMD FND

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Antelope Valley Press, a newspaper of general circulation, printed and published daily in the City of Palmdale, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of October 24, 1931, Case Number 328601; Modified Case Number 657770 April 11, 1956; also operating as the Ledger-Gazette, adjudicated a legal newspaper June 15, 1927, by Superior Court decree No. 224545; also operating as the Desert Mailer News, formerly known as the South Antelope Valley Foothill News, adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California on May 29, 1967, Case Number NOC564 and adjudicated a newspaper of general circulation for the City of Lancaster, State of California on January 26, 1990, Case Number NOC10714, Modified October 22, 1990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 17, 2015

I certify (or declare) under penalty of perjury that
the fore-going is true and correct.


Signature

Dated: April 17, 2015
Executed at Palmdale, California

Valley Press

37404 SIERRA HWY., PALMDALE CA 93550
Telephone (661)267-4112/Fax (661)947-4870

The space above for filing stamp only

NOTICE OF HEARING
NOTICE IS HEARBY GIVEN that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on May 19, 2015 at 10:30 A.M. to consider the proposed adoption of Federal Negative Declarations for Seventeen Control Techniques Guidelines Source Categories.

SAID HEARING will be conducted in the Governing Board Chambers located at the AVAQMD offices 43301 Division Street, Suite 206, Lancaster, CA 92525-4649 where all interested persons may be present and heard. Copies of the proposed Federal Negative Declarations for Seventeen Control Techniques Guidelines Source Categories and the Staff Report are on file and may be obtained from the Clerk of the Governing Board at the AVAQMD Offices. Written comments may be submitted to Eldon Heaston, Executive Director at the above office address. Written comments should be received no later than May 18, 2015 to be considered. If you have any questions you may contact Tracy Walters at (760) 245-1661 x6122 for further information. Traducción este disponible por solicitud.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated RACT SIP Analysis. The purpose of the RACT SIP Analysis is to ensure that District rules adequately address current RACT requirements. For those source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present. These FNDs are revisions to the State Implementation Plan (SIP), and consequently they must be adopted after public notice and hearing (42 U.S.C. §7410(1), FCAA §101). Pursuant to the California Environmental Quality Act (CEQA) the AVAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action. Crystal Goree
Deputy Clerk of the Board
Antelope Valley Air Quality Management District
Publish: 4/17/2015

AVAQMD
APR 20 2015
RECEIVED

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APPENDIX "C"
PUBLIC COMMENTS AND RESPONSES

No comments received at this time.

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APPENDIX "D"
CALIFORNIA ENVIRONMENTAL QUALITY ACT
DOCUMENTATION
(to be included as available)

1. Notice of Exemption – Los Angeles County

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NOTICE OF EXEMPTION

TO: Los Angeles County Clerk
12400 E. Imperial Hwy, #1001
Norwalk, CA 90650

FROM: Antelope Valley
Air Quality Management District
43301 Division Street, Suite 206
Lancaster, CA 93535-4649

X AVAQMD Clerk of the Governing Board

PROJECT TITLE: Federal Negative Declarations for Sixteen Control Techniques Guidelines (CTG) Source Categories.

PROJECT LOCATION – SPECIFIC: Los Angeles County portion of the Mojave Desert Air Basin.

PROJECT LOCATION – COUNTY: Los Angeles County

DESCRIPTION OF PROJECT: Adoption of the *Federal Negative Declarations for Sixteen Control Techniques Guideline Source Categories* is necessary because for those source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a Federal Negative Declaration certifying that those sources are not present.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Antelope Valley AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Antelope Valley AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The Federal Negative Declaration serves only to certify that there are no sources within particular CTG source categories located in the federal ozone non-attainment area of the AVAQMD, so the adoption of the Federal Negative Declaration is in and of itself environmentally neutral.

LEAD AGENCY CONTACT PERSON: Bret Banks **PHONE:** (661) 723-8070

SIGNATURE: _____ **TITLE:** Deputy Director Operations – Antelope Valley
DATE: 07/21/2015

DATE RECEIVED FOR FILING:

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APPENDIX "E"

BIBLIOGRAPHY

The following documents were consulted in the preparation of this staff report and the proposed adoption of the *Federal Negative Declarations for 16 CTG Source Categories*:

1. EPA – various CTGs, ACTs, and other documents
2. EPA – letter from Andrew Steckel, EPA Region IX to Kurt Karperos, ARB dated March 9, 2006 – RACT SIPs
3. EPA – letter from Andrew Steckel, EPA Region IX to Kurt Karperos, ARB dated April 4, 2006 – RACT SIPs (Including list of CTGs)
4. USEPA -- letter from Andrew Steckel, EPA Region IX to Alan De Salvio, MDAQMD dated September 11, 2006
5. California Health and Safety Code – various sections
6. Technical Support Document for the Antelope Valley Air Quality Management District Negative Declarations for Control Techniques Guidelines (CTG) Source Categories, May 5, 2011.
7. 40 CFR 52.222(a)(6) and (b)(4).
8. 73 FR 16436, March 27, 2008.

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